NOTES OF CASES.

Person Arrested Drags Officer Out of State.—The towns of Jellico, Ky., and Jellico, Tenn., are separated merely by an imaginary line. Thomas Bowlin, who was marshal of the Kentucky town, attempted to arrest Lewis Archer, who was a much larger man than himself. Archer, apparently believing that discretion lay in flight across the state line, proceeded in that direction pulling the doughty marshal along with him. After getting fifteen or twenty feet into the Tennessee territory, and as he apparently supposed to safety, he ordered the marshal away but was met by the reply that he had arrested him in Kentucky and could follow him as long as he had sight of him. About this time a brother of the marshal appeared on the scene with a pistol and killed Archer, whose widow then brought action against the marshal and the sureties on his bond. One of the defenses set up was that even if the marshal himself was responsible for the act of his brother in doing the killing, as he was out of his own state, it was a mere personal act not in the line of his official duty, and one for which the sureties could not be held liable. The Court of Appeals of Kentucky, in passing on this defense, holds that the circumstances of the case do not bring it within the general rule of lack of authority of an arresting officer to go out of his jurisdiction; that the whole affair in both states should be considered as one entire act, and that Archer "could not defeat the legality of the arrest by forcibly carrying the arresting officer out of his bailiwick. Bowlin *v.* Archer, 163 Southwestern Reporter, 477.

Constitutionality of Abatement Law.—The Minnesota law providing for the abatement of bawdy-houses withstood a vigorous attack in the case of State ex rel. Wilcox *v.* Gilbert, 147 Northwestern Reporter, 953. It was held by the Minnesota Supreme Court that "the act was not penal either in its general aspect or in its details with reference to forfeiture and sale of personal property used in maintaining the nuisance, the closing, to all purposes for one year, of premises in which the lewd business is carried on, the imposition of a money exaction against the property and persons participating in the nuisance, or otherwise; and hence it neither violates the Constitution, as denying jury trial in criminal proceedings, nor contravenes constitutional limitations as to excessive fines and unusual punishments, right to be confronted by witnesses, testifying against one's self, and bills of attainder and ex post facto laws." The same law was passed upon in State ex rel. Robertson *v.* Lane, 147 Northwestern Reporter, 951, where it was held that an owner of personal property covered by a contract of conditional sale executed prior to the enactment

of the law had no vested right, contractual or otherwise, to allow it to be used in connection with the maintenance of a bawdy-house after the passage of the act.

Right of Corporations to Practice Law.—A corporation contracted with property owners, agreeing to represent the latter in obtaining awards in condemnation proceedings against New York City and to receive in payment a percentage of the awards. It agreed to pay all expenses, and was to be entitled to allowances, by the court for expenses. A practicing attorney was then employed to appear as attorney of record for the property owners and to conduct the proceedings. He was to receive for his services whatever allowances were made for counsel fees and costs by the condemnation commissioners, and was required to collect for the corporation such percentage of the awards as its contract with the property owners provided for, and pay all expenses for the preparation for trial, the trial of the proceedings, and the collection of the awards, including the expenses for witnesses. He was also required to file with the proper officers a notice of his lien as attorney for the property owners for the amount due for legal services in connection therewith, and not to cancel the lien until the corporation's fees were paid. The Supreme Court of New York at Trial Term in United States Title Guaranty Co. *v.* Brown, 149 New York Supplement, 186, in an action by the corporation against the attorney for an accounting, held that the corporation's contract, construed in connection with its contract with the property owners, was an attempt on its part to practice law, in contravention of public policy and in violation of statute, the court adding: "The profession of the law, one of the oldest known to civilization, involving the most sacred confidence between man and man, with its past of high ideals and service to humanity, has in the last quarter of a century suffered much from the inroads of the new financial and business methods in this great land of ours. Whether by ill-advised attempts by corporate employers to dominate and direct attorneys and counsel in the conduct of litigation, whether by so-called title companies or casualty insurance corporations, the old ideals in the relation of attorney and client, which meant so much to mankind, have suffered and have been threatened with demoralization. This is wrong. The loss of the individual personal relation involved in the attempt by corporations to practice law is so serious to the community that it is against public policy, and I am inclined to think malum in se; but, at any rate, there is no question that in this state it is unlawful by force of the statute. The agreement of the plaintiff and defendant and the plaintiff's agreements with the property owners seem to me to be flagrant violation of the law, and before a court of equity no skillfully